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PATENT
Attorney Docket No. ADI-098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Van Noy et al. CONFIRMATION NO.: 7808
SERIAL NO.: 10/712,790 GROUP NO.: 3728
FILING DATE: November 13, 2003 EXAMINER: Not Yet Assigned
TITLE: Shoe Ventilation System

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with 37 C.F.R. 1.98(a)(2), only copies of the foreign patent documents and non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**

- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

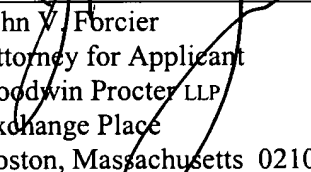
As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

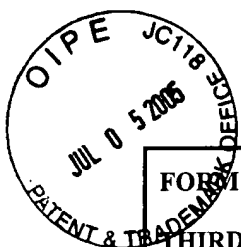
Date: June 30, 2005
Reg. No. 42,545

Tel. No.: (617) 570-1607
Fax No.: (617) 523-1231
Customer No. 051414
LIBC/2520461.1

Respectfully submitted,



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Attorney for Applicant
Goodwin Procter LLP
Exchange Place
Boston, Massachusetts 02109



FORM PTO - 1449

ATTORNEY DOCKET NO.: ADI-098

THIRD SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT

APPLICANTS: Van Noy et al.

SERIAL NO.: 10/712,790

FILING DATE: November 13, 2003 GROUP: 3728

U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
		2,358,342	9/19/44	Margolin			
		4,100,685	7/18/78	Dassler			
		5,070,629	12/10/91	Graham et al.			
		5,086,572	2/11/92	Lee			
		5,339,544	08/23/94	Caberlotto			
		5,685,091	11/11/97	Yalamanchili			
		5,797,610	8/25/98	Grande et al.			
		5,809,665	9/22/98	Suenaga			
		5,979,076	11/9/99	Li			
		6,041,518	3/28/00	Polycarpe			
		6,421,933	07/23/02	Zamprogno			
		6,508,015	1/21/03	Rauch			
		6,662,469	12/16/03	Belley et al.			
		2001/0011426	08/09/01	Tomat			

FOREIGN PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B22	2,047,044	3/25/97	CA				N	Y
	B23	418 179	7/31/66	CH				Y	Y
	B24	800 364	11/2/50	DE				N	Y
	B25	600 894	8/2/34	DE				Y	Y
	B26	1 118 280 A2	07/25/01	EP				N	Y
	B27	1 118 280 B1	04/14/04	EP				N	Y
	B28	0 121 645	10/17/84	EP				N	Y
	B29	0 732 067 A1	09/18/96	EP				N	Y

EXAMINER

DATE CONSIDERED

FORM PTO – 1449					ATTORNEY DOCKET NO.: ADI-098				
THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT					APPLICANTS: Van Noy et al.				
					SERIAL NO.: 10/712,790				
					FILING DATE: November 13, 2003 GROUP: 3728				
FOREIGN PATENT DOCUMENTS									
EXAM. INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B30	0 427 556 A2	05/15/91	EP				N	Y
	B31	0 910 964 A2	04/28/99	EP				N	Y
	B32	2 247 391	3/4/92	GB				N	Y
	B33	10-362414	6/27/00	JP				N	Y
	B34	07-327706	12/19/95	JP				N	Y
	B35	03-236801	10/22/91	JP				Y	Y
	B36	06-141906	5/24/94	JP				N	Y
	B37	08-112104	5/7/96	JP				N	Y
	B38	H02-57403	4/25/90	JP				N	Y
	B39	08-056704	3/5/96	JP				N	Y
	B40	10-014605	1/20/98	JP				N	Y
	B41	H02-11802	2/6/91	JP				N	Y
OTHER ART, JOURNAL ARTICLES, ETC.									
EXAM. INIT.	OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)								
	C1	Asics, "Sport Schuhe & Taschen, Fruhjahr/Sommer 1999" brochure, and English translation. (4 pgs.)							
	C2	Asics, "Sportschuhe & Taschen, Herbst/Winter 1999" brochure, and English translation. (6 pgs.)							
	C3	New Balance, "Fall 1998, Performance Footwear" brochure. (2 pgs.)							
	C4	Lotto, "Schuhe/Textilien Saison '98/'99" brochure, and English translation. (6 pgs.)							
	C5	Reebok, "Schuhe 3. Quartel 1998" brochure, and English translation. (6 pgs.)							
EXAMINER					DATE CONSIDERED				

LIBC/2519471.1



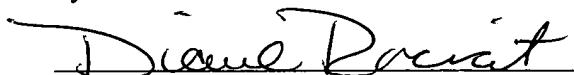
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TITLE: Shoe Ventilation System

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30th day of June 2005.


Diane Racicot

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Third Supplemental Information Disclosure Statement (2 pgs.);
3. Form PTO-1449 (2 pgs.);
4. Copies of References B22-B41; C1-C5; and
5. Return receipt postcard



TRANSMITTAL FORM

Application Serial Number	10/712,790
Filing Date	November 13, 2003
First Named Inventor	Van Noy
Group Art Unit	3728
Examiner Name	Not Yet Assigned
Attorney Docket No.	ADI-098
Confirmation No.	7808
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Associate Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Amendment and Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input checked="" type="checkbox"/> Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations (B22-B41; C1-C5) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above		

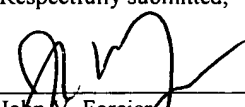
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SIGNATURE BLOCK

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